

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

BEATRICE HUDSON,	)	
	)	
Plaintiffs,	)	8:06cv425
	)	
vs.	)	ORDER to SHOW CAUSE
	)	
CITY OF OMAHA,	)	
	)	
Defendant.	)	

This matter is before the court on filing no. 11, the Notice of Deficiency issued by the Clerk of Court on October 31, 2006. It appears to the court that this case may have been abandoned by the plaintiff, as the parties have not filed the Rule 26(f) **joint** planning report which was required to be filed with the court by October 30, 2006. Instead, in filing no. 10, the defendant, City of Omaha, has filed a report signed only on behalf of the defendant. In that report, the defendant states that the plaintiff has not answered the defendant's letter or otherwise contacted the defendant's attorney. Absent the plaintiff's signature, a report signed by only one party is insufficient.

Therefore, the plaintiff shall have until **November 15, 2006** to file a signed signature page to the defendant's report or to file a signed copy of the defendant's report, or to meet and confer with the defendant's counsel. In addition, **by November 15, 2006**, the plaintiff must show cause with the court, in writing, why this case should not be dismissed for failure by the plaintiff to prosecute this case with reasonable diligence. See NECivR 41.1.<sup>1</sup> In the absence of compliance with this Order, the above-entitled case may be subject, without further notice, to dismissal without prejudice, after **November 15, 2006**.

**SO ORDERED.**

DATED this 1<sup>st</sup> day of November, 2006.

BY THE COURT:

s/ F. A. GOSSETT  
United States Magistrate Judge

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<sup>1</sup>NECivR 41.1 states in pertinent part: "At any time when it appears that any action is not being prosecuted with reasonable diligence the court may dismiss it for lack of prosecution."